

**MINUTES OF THE SPECIAL MEETING OF THE  
COAST LABOR RELATIONS COMMITTEE**

Meeting No. 13-12

Time/Date: Wednesday, June 6, 2012 – 3:30 p.m.

Place: Via Teleconference

Present: For the Union

R. Ortiz, Jr.  
L. Sundet

For the Employers

S. Hennessey  
R. Marzano

Also Present: K. Donovan

The Parties met, at the request of the Union, and in accordance with Section 17.282 of the PCL&CA and Oregon Area Arbitration Award CRAA-08-2012. The Committee noted that in the referenced arbitration award, the Area Arbitrator ruled the local grievance machinery had stalled and "...the matter in dispute can be referred at once by either the Union or the Association to the Joint Coast Labor Relations Committee for disposition."

The Committee further noted that the Area Arbitrator ruled that "The Employers have failed to secure observance of the Agreement in violation of Section 11.2 by failing to implement Coast LRC directive dated May 23, 2012, CLRC Meeting #12-2012" and ordered "The Employers shall immediately assign the work in question to ILWU Local 8 in accordance with CLRC Meeting #12-2012."

The Committee noted that the underlying "matter in dispute" involves the assignment to the ILWU of dockside plugging, unplugging and monitoring of reefers at the Terminal 6 facility in Portland, Oregon. The ILWU is currently assigned all reefer repair work and the vessel plugging and unplugging of reefers at the facility. In CLRC Meeting No. 12-12, the Committee instructed terminal operator, ICTSI, to assign the subject work to ILWU represented Longshore Division personnel in accordance with the PCL&CA.

The Union stated that the Area Arbitrator had properly noted that all involved PMA member Employers were responsible to the PCL&CA and pertinent CLRC directives. Furthermore, ICTSI's intransigence in refusing to implement is not isolated; the carriers being PMA member companies and who own and lease the container equipment are equally responsible to secure conformance with the PCL&CA and all clarifying CLRC agreements and arbitration orders.

The Employers objected to the Union's inclusion of the carriers in this dispute, as the CLRC agreement was specific to ICTSI and the carriers were not instructed to take any action. Additionally, the Area Arbitrator's award was also limited to the matter involving ICTSI and its failure to comply with the CLRC directive.

Following discussion, the Committee agreed to affirm orders 1 and 2 of CRAA-08-2012 and the agreement reached in CLRC meeting No. 12-12. It was further agreed that ICTSI has, to date, failed to comply with the CLRC order.

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The Union moved: "The contract grievance machinery has stalled and has failed to work; and that the relevant CLRC agreements and the associated arbitration awards shall be implemented immediately."

The Employers voted "yes" noting that such vote is specific to the CLRC order in Meeting No. 12-12 regarding ICTSI and the fact that the grievance machinery has stalled in this matter.

Date Signed: 6/8/12

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For the Union:

Ray A. P.  
Paul A. Sander

For the Employers:

Ray A. P.